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REPLY TO: OKLAHOMA CITY, OK

January 27, 2025

SENT VIA ECF FILING:

Hon. Jamel K. Semper, U.S.D.J.
United States District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

RE: *Ylitalo v. Automatic Data Processing, Inc., et. al.*, Case No. 2:24-cv-7635-JKS-LDW

Judge Semper:

My firm represents Plaintiff Dale Ylitalo ("Plaintiff" or "Ylitalo") in the above referenced case. I write to update the Court on matters relevant to Plaintiff Dale Ylitalo's Motion for Appointment of Lead Plaintiff and Approval of Counsel (ECF No. 31) and his Reply thereto (ECF No. 33) (collectively referred to as "Plaintiff's Motion for Lead").

Contrary to Defendants' Letter to the Court dated November 27, 2024 (ECF No. 36), Plaintiff's SIMPLE IRA has not exceeded the rate of return that he was promised before establishing the account. As set forth in the attached Declaration of Dale Ylitalo, the rate of return on Plaintiff's SIMPLE IRA from January 1, 2024 to December 31, 2024 has been 4.78% - far below the 6.00% that was represented to Mr. Ylitalo and other purported members of the Class.

Plaintiff respectfully requests that the Court consider *sua sponte* the foregoing facts in ruling on Plaintiff's Motion for Lead.



Jessica A. Wilkes
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